

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 21, 1980
6:00 P.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmembers Goodman, Himmelblau,
Mayor Pro Tem Mullen, Councilmembers Snell, Trevino

Absent: Councilmember Cooke

VIKETTES DAY

Mrs. Gala King, director, Lanier High School Vikettes Drill Team, and 6 officers of the team, were present in the Council Chamber to receive a proclamation, read by Mayor McClellan, designating February 21, 1980 as Vikettes Day. Mrs. King thanked the Mayor and Council for the proclamation. The following girls introduced themselves and expressed their appreciation for the recognition by Council: Terri Petru, Delane Terry, Michelle Wall, Dianna Jergins, Elise Ehrlich, and Melissa Bass.

GOLDEN GLOVES BOXING PROGRAM

Distinguished Service Awards for the Golden Gloves Boxing Program were presented to A. B. Cantu, Boxing Coordinator, PARD; Moses Saldana, citizen volunteer; and Rolando Fuentes, citizen volunteer, by the Mayor and Council. The recipients thanked the Mayor and Council for their awards and pointed out the value of the boxing program to the youth of Austin.

RECOGNITION FOR CHARLES ESKRIDGE

A Certificate of Recognition and a Resolution signed by all members of the Council were presented to Charles Eskridge for his work and contributions for and to the City of Austin. Mr. Eskridge is moving to Washington, D. C., to be the Public Information Coordinator for the National Center for a Barrier Free Environment. Senator Lloyd Doggett, members of MIGHT and the parents of Mr. Eskridge were in the Council Chamber to watch him receive his award.

CLASS RECOGNIZED

Mayor McClellan introduced to the Council Chamber members of Mr. Rischer's Government I class from McCallum High School, who were in the Council Chamber accompanied by their student teacher, Miss Annette Parkhurst.

MINUTES APPROVED

Councilmember Snell moved that the Council approve the Minutes for February 7, 1980 as corrected; February 14, 1980 and Special Meeting of February 1, 1980. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen

Noes: None

Absent: Councilmember Cooke

EMINENT DOMAIN PROCEEDINGS

Councilmember Trevino moved that the Council adopt a resolution to authorize eminent domain proceedings to acquire the following tracts of land for the Spicewood Springs Road Project:

Street widening and improvements: 0.61 acres and 0.59 acres

Drainage reservoir: 1.26 acres

Enclosed Drainage Easement: 2,143 square feet

Open Drainage Easements: 0.31 acres; 2,214 square feet; 8,957 square feet

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell

Noes: None

Absent: Councilmember Cooke

SHADY LANE BRIDGE PROJECT

Councilmember Trevino moved that the Council adopt a resolution to authorize the acquisition of certain land for street right-of-way and drainage easement for the Shady Lane Bridge Project: CAPITAL IMPROVEMENTS PROGRAM No. 78/65-04.

Two tracts of land and a drainage easement out of the J. C. Tannehill League No. 29 (Rudolfo Barrera et ux, Minnie Barrera)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
Noes: None
Absent: Councilmember Cooke

RELEASE OF EASEMENT

Councilmember Trevino moved that the Council adopt a resolution authorizing release of the following easement:

A 5 foot by 27 foot public utilities easement located on Lot 14, Westwood Villas, Section 2, the northeast corner of Bee Caves Road (RR 2244) and Bulian Lane. (Requested by David McCormick, owner)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
Noes: None
Absent: Councilmember Cooke

CONTRACTS APPROVED

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

WESTINGHOUSE ELECTRIC CORPORATION	-	Collector Assembly for Holly Unit
201 North St. Mary's Street		#3, Westinghouse Electric Generator,
San Antonio, Texas		Electric Utility Department -
		\$11,020.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
Noes: None
Absent: Councilmember Cooke

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

WESTINGHOUSE ELECTRIC COMPANY 201 North St. Mary's Suite 512 San Antonio, Texas	- CAPITAL IMPROVEMENTS PROGRAM - Protective Relay System to be used at Lytton Springs Substation, Electric Utility Department Item 1 (One Group) - \$10,398.20 C.I.P. No. 77/35-05
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
Noes: None
Absent: Councilmember Cooke

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

WAGGONER CONSTRUCTION COMPANY, INC. 1825 Oak Hill Lane Austin, Texas	- CAPITAL IMPROVEMENTS PROGRAM - Construction of Electric ductline on South Congress Avenue - \$38,293.75 C.I.P. No. 80/15-02
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
Noes: None
Absent: Councilmember Cooke

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

TECHLINE, INC. 8750 Shoal Creek Austin, Texas	- CAPITAL IMPROVEMENTS PROGRAM - Potential Transformers, Electric Utility Department, C.I.P. No. 77/16-01 Item 1, 3 ea. - Total \$15,300
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
Noes: None
Absent: Councilmember Cooke

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

OAK FARMS DAIRIES
901 Red River Street
Austin, Texas

- Milk Products for March 1, 1980
through August 31, 1980, Grade A for
Hospital, Senior Center and Jail
Items 1-9 - \$31,546.50 estimated

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
Noes: None
Absent: Councilmember Cooke

Councilmember Trevino moved that the Council adopt a resolution approving the following contracts:

Bid Award:	- Generic Pharmaceuticals for Brackenridge Hospital Pharmacy and City Health Department Twelve Months Supply Agreements - \$1,331,216.13
SOUTHWESTERN DRUG CORP. P. O. Box 1231 San Antonio, Texas	- \$217,778.21
MERCK SHARP DOHME 925 111th Street Arlington, Texas	- \$171,517.31
UPJOHN COMPANY P. O. Box 225451 Dallas, Texas	- \$128,998.63
SCHERING CORPORATION 1921 Gateway Drive Irving, Texas	- \$100,604.83
ARMOUR PHARMACEUTICAL COMPANY P. O. Box 511 Kankakee, Illinois	- \$75,972.56
CUTTER LABORATORIES 4542 Mcewen Road Dallas, Texas	- \$49,759.00
PARKE-DAVIS COMPANY P. O. Box 5206 Dallas, Texas	- \$44,395.43
ABBOTT LABORATORIES Hospital Division Abbott Park D361 North Chicago, Illinois	- \$39,852.82

WYETH LABORATORIES 8717 Directors Row Dallas, Texas	- \$34,629.01
TRAVENOL PARENTERAL 1 Baxter Parkway Deerfield, Illinois	- \$31,556.36
E. R. SQUIBB & SONS P. O. Box 1510 Houston, Texas	- \$30,913.44
HOECHST ROUSSEL PHARMACEUTICALS, INC. Route 202-206 North Somerville, New Jersey	- \$29,642.81
ROCHE LABORATORIES/HOFFMAN LA ROCHE, INC. 2727 Northaven Road Dallas, Texas	- \$26,541.34
PFIZER, INC. P. O. Box 22249 Dallas, Texas	- \$26,296.27
S K & F LAB COMPANY 1500 Spring Garden Street Philadelphia, Pennsylvania	- \$24,448.78
BEECHAM LABORATORIES P. O. Box 5883 Arlington, Texas	- \$24,350.78
AYERST LABORATORIES 3601 Executive Boulevard Mesquite, Texas	- \$22,725.03
ELKINS-SINN, INC. 4116 Bronze Way Dallas, Texas	- \$21,449.42
ORGANON PHARMACEUTICALS 375 Mt. Pleasant West Orange, New Jersey	- \$16,846.52
BRISTOL LABORATORIES P. O. Box 657 Syracuse, New York	- \$14,641.74
RIKER LABORATORIES 19901 Nordhoff Street Northridge, California	- \$14,534.86

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CIBA PHARMACEUTICALS 7530 North Natchez Avenue Niles, Illinois	- \$13,573.25
WINTHROP LABORATORIES 6627 Maple Avenue Dallas, Texas	- \$13,457.49
CRITIKON DIVISION/McNEIL LABORATORIES P. O. Box 699 Arlington, Texas	- \$12,615.92
LEDERLE LABORATORIES P. O. Box 5731 Dallas, Texas	- \$10,348.43
McGAW LABORATORIES 3310 Quebec Dallas, Texas	- \$10,320.00
HALL MEDICAL, INC. 1513 Manor Road Austin, Texas	- \$8,724.88
EATON LABORATORIES P. O. Box 5490 Dallas, Texas	- \$8,551.59
BREON LABORATORIES 6627 Maple Avenue Dallas, Texas	- \$8,138.60
ORTHO DIAGNOSTICS Highway 202 Raritan, New Jersey	- \$8,086.40
INVENEX PHARMACEUTICALS 5885 Lakehurst Drive Orlando, Florida	- \$7,880.83
STUART PHARMACEUTICAL DIVISION 4311 Silverside Road Wilmington, Delaware	- \$7,858.67
McNEIL LABORATORIES 3129 Pinewood Drive Arlington, Texas	- \$7,548.36
ALPHA THERAPEUTICS 820 Mission Street South Pasadena, California	- \$7,581.60

AMFAC DRUG COMPANY 11927 Warfield San Antonio, Texas	- \$7,267.40
J. B. ROERIG COMPANY P. O. Box 22249 Dallas, Texas	- \$6,765.15
MARION LABORATORIES, INC. P. O. Box 9627 Kansas City, Missouri	- \$6,620.39
MEAD-JOHNSON LABORATORIES Pharmaceutical Division 2404 Pennsylvania Avenue Evansville, Indiana	- \$6,371.52
AMSCO MEDICAL PRODUCTS 2820 West 23rd Street Erie, Pennsylvania	- \$6,349.96
ENDO LABORATORIES 1000 Stewart Avenue Garden City, New York	- \$5,573.60
UPSHER-SMITH LABORATORIES, INC. 14905 23rd Avenue North Minneapolis, Minnesota	- \$5,443.50
SEARLE LABORATORIES, DIVISION/ SEARLE PHARMACEUTICALS, INC. P. O. Box 5110 Chicago, Illinois	- \$5,162.19
ABBOTT LABORATORIES PHARMACEUTICAL DIVISION Abbott Park D361 North Chicago, Illinois	- \$5,101.65
PURDUE FREDERICK COMPANY 50 Washington Street Norwalk, Connecticut	- \$4,419.60
Total	- \$1,331,216.13

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
Noes: None
Absent: Councilmember Cooke

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

CARLSON CLEANING EQUIPMENT AND
SUPPLY
4704 Carter Lane
Austin, Texas

- Pressure Cleaner - (water) in
accordance with City of Austin
Specification, Vehicle and Equipment
Services
Item: Alt. to 1, 1 ea. @ \$3,400
after trade-in
Item: Alt. to 2, 1 ea. @ \$3,400
after trade-in
Total \$6,800.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
Noes: None
Absent: Councilmember Cooke

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

ROHAN COMPANY
508-D St. Elmo Road
Austin, Texas

- Pipe, Polyvinylchloride, SDR 14,
Central Stores Division
Twelve (12) Month Supply Agreement
Items 1-4 - \$43,985.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
Noes: None
Absent: Councilmember Cooke

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

J. F. CLARK COMPANY, INC.
6517 Hillcrest Avenue
Dallas, Texas

- Metal Folding Chairs and Storage
Trucks, Municipal Auditorium Department
Item 1, 500 ea. @ \$16.90
Item 2, 5 ea. @ \$212.00
Total \$9,555.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
Noes: None
Absent: Councilmember Cooke

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

GOLDTHWAITES OF TEXAS	- Riding Mower, Parks and Recreation
10751 Sentinel	Department (replacement equipment)
San Antonio, Texas	Item 1, 3 ea. @ \$4,987.00
	Item 3, 1 ea. @ \$4,283.00
	Item 4, 1 ea. @ \$8,311.00
	Total \$27,555.60

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
Noes: None
Absent: Councilmember Cooke

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

VEPED TRAFFIC CONTROLS, INC.	- Traffic Cones, Purchases and Stores
11313 North Broadway	Department
Oklahoma City, Oklahoma	Item 1, est. 5000 ea. - \$13,100.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
Noes: None
Absent: Councilmember Cooke

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

BRYANT ROOFING SERVICE	- Roofing Repairs, Urban Transportation
3612 Country White Lane	Building on Toomey Road - \$6,930.00
Austin, Texas	

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
Noes: None
Absent: Councilmember Cooke

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

THE WHITLEY COMPANY	- Printing Comprehensive Plan Book
301 Brazos	Public Information Department
Austin, Texas	Items 1.c, 2.c, and 3 - \$31,115.23

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
Noes: None
Absent: Councilmember Cooke

TEMPORARY STREET CLOSING

Councilmember Trevino moved that the Council adopt a resolution to temporarily close Leon Street from 25-1/2 Street to 26th Street from 2:00 P.M. to 7:00 P.M., March 5, 1980, as requested by Mr. Sam Ellis representing Delta Upsilon/Kappa Alpha Fraternities. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
Noes: None
Absent: Councilmember Cooke

CAPITAL AREA MANPOWER CONSORTIUM

Councilmember Trevino moved that the Council adopt a resolution to enter into a new non-financial agreement with the Texas Department of Community Affairs to provide an automated management information system for the Capital Area Manpower Consortium. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
Noes: None
Absent: Councilmember Cooke

LETTER OF CREDIT REVOKED

Councilmember Trevino moved that the Council adopt a resolution to authorize the City Manager to revoke an in-City Letter of Credit number A-1231. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
Noes: None
Absent: Councilmember Cooke

FEBRUARY 23 BOND ELECTION BALLOTS

Councilmember Trevino moved that the Council adopt a resolution to enter on the Minutes the number and serial number of the ballots to be used in the February 23, 1980 Bond Election.

Absentee Ballots - 1000 Serial Numbers 000001 - 001000

Regular Voting Ballots - 79,000 Serial Numbers 001001 - 080000

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell

Noes: None

Absent: Councilmember Cooke

ENERGY ASSISTANCE PROGRAM

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1979-1980 BY ACCEPTING AND APPROPRIATING \$79,883.00 FROM THE TEXAS DEPARTMENT OF COMMUNITY AFFAIRS (TDCA) FOR THE PURPOSE OF CONTINUING THE PRESENT ENERGY ASSISTANCE PROGRAM; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Goodman, Himmelblau,
Mayor Pro Tem Mullen, Councilmembers Snell, Trevino

Noes: None

Absent: Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

WEATHERIZATION

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1979-1980 BY ACCEPTING AND APPROPRIATING \$1,800.00 FROM THE TEXAS DEPARTMENT OF COMMUNITY AFFAIRS FOR THE PURPOSE OF CONDUCTING WEATHERIZATION TECHNIQUES TRAINING TO WEATHERIZATION PERSONNEL; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Goodman, Himmelblau,
Mayor Pro Tem Mullen, Councilmembers Snell, Trevino
Noes: None
Absent: Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

TEXAS ENERGY AND NATIONAL RESOURCES PROJECT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR FISCAL YEAR 1979-1980 BY ACCEPTING \$25,000.00 FROM THE DEPARTMENT OF ENERGY AND APPROPRIATING \$50,000.00 TO THE HOSPITAL FUND FOR THE PURPOSE OF FUNDING PROFESSIONAL ENGINEERING STUDIES TO IDENTIFY REDUCTION OF ENERGY CONSUMPTION AT BRACKENRIDGE HOSPITAL; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Goodman, Himmelblau,
Mayor Pro Tem Mullen, Councilmembers Snell, Trevino
Noes: None
Absent: Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
TRACT 1: A 44.4 ACRE TRACT OF LAND, SAVE AND EXCEPT 100 FEET ALONG THE NORTHERNMOST BOUNDARY, DESCRIBED IN TRACT 2 BELOW, FROM "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT AND "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, SECOND HEIGHT AND AREA DISTRICT; AND
TRACT 2: A 100 FOOT STRIP OF LAND ALONG THE NORTHERNMOST BOUNDARY OF TRACT 1, DESCRIBED ABOVE, FROM "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT AND "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 3: A 5.6 ACRE TRACT OF LAND, FROM "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; ALL OF ABOVE PROPERTY BEING LOCALLY KNOWN AS 800-1000 RUTHERFORD LANE, 1000-1114 U.S. 183 AND 8017-8019 IH 35; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Lloyd & Associates, C14-79-286)

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Goodman, Himmelblau,
Mayor Pro Tem Mullen, Councilmembers Snell, Trevino

Noes: None

Absent: Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

Councilmember Snell noted that he was absent the day the above zoning case was heard, but was voting "Yes" today.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: LOT A, R. B. ADDITION, SAVE AND EXCEPT THE EASTERNMOST 200 FEET, FROM "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2: THE EASTERNMOST 200 FEET OF LOT A, R. B. ADDITION, FROM "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; ALL OF ABOVE PROPERTY BEING LOCALLY KNOWN AS 2810 SOUTH FIRST STREET; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (City of Austin, C14-79-283)

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Goodman, Himmelblau,
Mayor Pro Tem Mullen, Councilmembers Snell, Trevino

Noes: None

Absent: Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

Councilmember Snell noted that he was absent the day the above zoning case was heard, but was voting "Yes" today.

ZONING HEARING POSTPONED

Councilmember Goodman moved that the Council POSTPONE until February 28, 1980, at 6:30 P.M., the following zoning case:

CHILDREN'S PUBLICATIONS, INC. C14-79-226	1101-1109 Elm Street also bounded by West 12th Street	From "A" Residence 1st Height and Area To "BB" Residence 1st Height and Area NOT Recommended
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The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Cooke

The Mayor told Council that the applicant had requested postponement until there is a full Council present.

EXECUTIVE SESSION

Mayor McClellan announced that Council will convene in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes Annotated; and after such closed or executive session, any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary.

RECESS

Council recessed for an executive session at 7:00 p.m. and resumed their recessed meeting at 7:25 p.m.

BOARD AND COMMISSION APPOINTMENTS

Manpower Advisory Council

Councilmember Trevino moved that the Council appoint the following members to the Manpower Advisory Planning Council, terms to expire September 30, 1980:

Neftali Zendejas	Claudia Allen
Steve Currier	Andrea Beatty
Josie Alvarado	Councilmember Lee Cooke
Haleta Kay Killough	Gwendolyn Joseph
Rosa Romero	Councilmember Jimmy Snell
Dr. Mitchell Rice	Sally Garcia

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Cooke

Police Retirement Board

Councilmember Trevino moved that the Council appoint Eli Barron to a term on the Police Retirement Board. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Cooke

Future Appointments

Mayor McClellan announced the following appointments will be made on February 28, 1980:

Board of Adjustment
On-Going Goals Committee

PUBLIC HEARING - BARTON CREEK WATERSHED

Mayor McClellan opened the public hearing, scheduled for 6:00 P.M. which was a continuation of the public hearing on development controls for land within the Barton Creek Watershed.

Mayor McClellan stated, "the Council is very anxious to adopt a set of controls to protect the Barton Creek Watershed. A moratorium on development was declared, a firm was engaged to design the proposed development standards and an ordinance, a citizen's task force has been working very hard providing input to the consulting firm, the moratorium was extended so the Task Force would have additional time to complete their deliberation, and in addition to the hearing tonight, the date of March 6, 1980, has been set for a Council decision." Mayor McClellan then introduced some 4th grade students from Riverside Farms School who were in the Council Chamber to present their thoughts on Barton Creek:

Jeannette Shaw
Jennifer Wilkerson
Anna Southerland

Kit Smith
Bertholda Bernard
Sonja VanCleve

When the girls finished their speeches, they sang a song asking that Barton Springs be protected.

Dr. Maureen McReynolds, Director, Office of Environmental Resource Management, appeared before Council and reported as follows:

"The staff has revised draft II of the Barton Creek Ordinance dated January 7th. The most significant changes to date are as follows:

We have omitted all references to special street standards since the Council has adopted alternate urban standards.

A new definition of cluster housing has been added based on developers' recommendations, which limits densities to that permitted under the zone categories.

The only control strategy recommended in the lowland water quality zone is cluster housing. With the above change in definition, the use of equivalent pollution loadings in this zone is no longer necessary.

A new definition of the critical water quality zone (the 100 year flood plain plus 5 feet), will allow easier administration of the ordinance. This redefinition shifts the zone areas in Barton Creek itself, but does not significantly reduce the 800 foot wide area recommended by Espey-Huston. However, the definition does limit the tributary areas that are protected in the critical water quality zone.

Therefore, two additional changes are recommended to protect the tributaries and main channel of Barton Creek. These are:

1. To prohibit construction on slopes with gradients 35% or greater throughout the watershed,
2. To increase the bluff line setback from 25 feet to 50 feet and,
3. To create a 25 foot, (measured horizontally), setback off the 100-year flood plan of waterways, (as defined in the Drainage Criteria Manual), in the uplands water quality zone.

This ordinance does not address commercial development since we anticipate the Council will wish to amend Chapter 29."

Councilmember Himmelblau said that since they had just recently received more information, she thought the moratorium should be extended in order to give Council more time to digest the information. Mayor McClellan suggested they put on the February 28 Agenda an item to extend the moratorium on the development in the Barton Creek Watershed through March 27 with a work session on the evening of March 6th, and continue the public hearing on March 6.

Motion

Mayor Pro Tem Mullen moved that the Council extend the moratorium on the Barton Creek Watershed through March 27, 1980; with a work session on March 6, and continue the public hearing after the work session, at 7:00 p.m. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Himmelblau, Mayor Pro Tem Mullen, Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Goodman
Noes: None
Absent: Councilmember Cooke

NEAL GRAHAM, Chairman of the Barton Creek Task Force, discussed his "final report" with Council, and stated that this now would not be his final report.

SETH SEARCY called Council's attention to the Graham, Manning, Searcy & Sederholm draft of an ordinance. He said the difference between their's and the consultant's proposed ordinance is reliance on structural controls and performance standards.

Mayor McClellan suggested that copies of all the proposed draft ordinances be placed in libraries and places where the public can study them.

DAVID ARMBRUST, member of the Task Force, told Council that they had received a copy of their ordinance draft, together with a two page summary of the major differences between ordinances proposed by Barton Creek Watershed Landowners and Zilker Park Posse. He said he is available for any questions concerning same.

MS. TERRY GALLOWAY appeared before Council and spoke against Propositions 9 and 10 dealing with water and wastewater projects proposed in the forthcoming Bond Election.

A man who did not identify himself spoke against the Espey-Huston study and questioned the pesticide run-off from Lost Creek Country Club into Barton Creek.

KEN MANNING appeared and showed slides of Barton Springs.

GARY PYLE, 2611 Barton Hills Drive, who is an ecologist, proposed limited development with a restrictive ordinance for the Barton Creek Watershed.

STANLEY WALKER, University of Texas School of Law Professor, presented his views of the situation.

Motion - Died for Lack of Second

Mayor Pro Tem Mullen moved that the Council limit all speakers to three minutes only; they will not be able to use someone else's time. There was no second to the motion.

ARNOLD MALLORY appeared to tell Council to view the trash that is thrown into the creek if they want to know why it is polluted. He has a home near the creek and said people who live there keep it clean, but the visitors to the area bring in a lot of trash.

Mayor McClellan reminded the audience that the public hearing will be continued March 6th and the moratorium will be extended through March 27th. She recognized the presence of Representatives Delco and Barrientos in the audience.

RECESS

Council recessed at 8:30 P.M. and resumed their recessed meeting at 8:45 P.M.

TRENCH BURNERS

Mayor McClellan opened the public hearing, scheduled for 7:00 P.M., on the use of trench burners in the City of Austin and passage of ordinance.

Dr. Maureen McReynolds presented the City Manager's Report on Trench Burners. (COPY ON FILE IN CITY CLERK'S OFFICE)

MS. MARILYN SIMPSON, President, Austin Neighborhood Council, appeared to state that trench burners should not be allowed in residential areas and recommended the banning of trench burners. Mayor Pro Tem Mullen said there has to be some alternative to land fill and that trench burners cut down on the necessity of having debris hauled away from the site. Ms. Simpson said chippers and shredders can be used but the builders prefer the trench burners. Mayor Pro Tem Mullen pointed out to her that the hauling of trash means the use of trucks and Ms. Simpson has spoken out many times against the use of trucks in neighborhoods. Ms. Simpson said the danger of trench burners is greater than the danger from trucks. Councilmember Himmelblau agreed.

JOHN PICKWELL, Vice President, Whispering Oaks and Cherry Creek Neighborhood Association, spoke against trench burners and asked that they not be allowed in areas adjacent to residences.

MERLE MODINE, University Hills Homeowners Association, said they do not want trench burners allowed in Austin.

BOB HUNTER, representing Mesa Park Civic Association, appeared to oppose trench burners.

ROSS GIANINA, citizen from South Austin, said trench burners are a nuisance and a source of pollution which the City does not need.

LARRY DEUSER, President, Angus Valley Neighborhood Association, asked the Council to pass a ban on trench burners.

GORDON DAVIS, speaking as a private citizen, said trench burners would help reduce the cost of homes to people because builders would not have to pay to haul off their trash. He said they would not pollute as much as trucks do. Councilmember Himmelblau discussed the burning of trees in trench burners and said it seems a shame to waste so much firewood. Mr. Davis said they have allowed people to come in and cut wood if they have the right insurance. He said the noise from chippers would be unbearable to residents.

KAY MAINE, who lives in South Austin, wondered how many people would want to live near an area where there are trench burners.

JEAN BROADWAY, South Austin resident, said they have already presented a petition of 1500 names to the TACB requesting the ban of trench burners.

Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE AUSTIN CITY CODE OF 1967; BY AMENDING SECTION 13-10 CAPTIONED "NUISANCES - DECLARED," BY ADDING SUBSECTION (e); PROHIBITING THE OPERATING OF TRENCH BURNERS WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN; DECLARING THE OPERATION OF TRENCH BURNERS TO BE A PUBLIC NUISANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Goodman moved that the Council close the public hearing, waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen

Noes: None

Absent: Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

PUBLIC HEARING - ANNEXATION

Mayor McClellan opened the public hearing scheduled for 7:30 p.m. to consider annexation of and directing the administration to institute annexation proceedings to annex the following:

- a. 2.35 acres of land requested by owner and known as Westcreek, Phase Two, Section 1. (C7a-70-020)
- b. 245.64 acres of land (55.74 acres requested by owner and known as Cliff Over Lake Austin and Lake Austin Trails, and 189.90 acres initiated by the City.) (C7a-79-021)
- c. 108.71 acres of land (53.63 acres requested by owner and known as McNeil Road Commercial Section 1 and 2, and 55.08 acres initiated by the City) (C7a-79-022)
- d. 316.14 acres of land (221.10 acres requested by owner and known as Great Hills IX, X, VIII-A and Great Hills Street Dedication "C" and 95.04 acres initiated by the City). (C7a-79-024)

Discussion on each parcel for annexation was taken separately.

a.

Mr. Lillie reviewed the area known as Westcreek, Phase Two, Section 1. He said costs will be offset by revenues if annexed and there are no oversize or approach mains necessary for this subdivision which is currently undeveloped. Councilmember Himmelblau asked if the water is available now so there won't be a need for an approach main. Mr. Lillie answered it is a small part of a larger subdivision.

Councilmember Goodman moved that the Council close the public hearing and direct the administration to institute annexation proceedings to annex 2.35 acres of land requested by owner and known as Westcreek Phase Two, Section 1. (C7a-70-020) The motion, seconded by Mayor Pro Tem Mullen, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell

Noes: None

Abstain: Councilmembers Trevino, Goodman

Absent: Councilmember Cooke

b.

Mr. Lillie reviewed the area known as Cliff Over Lake Austin and Lake Austin Trails. He said there would be no oversize or approach mains necessary.

MRS. FRANCES DANFORTH appeared before Council, passed out maps, and showed the location of their 90-acre farm which she asked Council not to annex. MR. R. G. MUELLER appeared and told about the terrain of the land they now own. He said it would be impossible to have water and wastewater connections.

Councilmember Himmelblau stated she had no objection to deleting the 90-acre tract from the annexation.

Councilmember Himmelblau moved that the Council close the public hearing and delete the 90-acre tract owned by R. G. Mueller and Frances Danforth. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmembers Snell, Trevino

Noes: None

Absent: Councilmember Cooke

Councilmember Himmelblau moved that the Council direct the administration to institute annexation proceedings to annex 245.64 acres of land (55.74 acres requested by owner known as Cliff Over Lake Austin and Lake Austin Trails, and 189.90 acres initiated by the City minus the 90-acre tract owned by R. G. Mueller and Frances Danforth). The motion, seconded by Mayor Pro Tem Mullen, carried by the following vote:

Ayes: Councilmember Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell, Mayor McClellan

Noes: None

Absent: Councilmember Cooke

Abstain: Councilmembers Goodman, Trevino

Councilmember Trevino said he wanted it on the record that he approves of deleting the 90 acres of land from the annexation, but does not approve of the annexation.

c.

Mr. Lillie reviewed the area known as McNeil Road Commercial Section 1 and 2 and 55.08 acres initiated by the City which does include a residential area. Costs will be offset by revenues if annexation takes place. There are two utility systems required for the subdivision. One is water oversize 12"/8" which is pending City Council approval; the second is a wastewater approach main 12" which was approved by Council August 2, 1979 with cost participation over the next five years.

A man who did not identify himself, said he represents 20% of the landowners in the 55.08 tract and stated they are against annexation.

SANDY GAUSMAN of the Crow Company, said they want their 55.08 acres annexed.

Councilmember Himmelblau asked if active subdivisions are coming in on all of these annexations. Mr. Lillie answered that a portion of the area is already developed..the City utilities are there and there are a lot of conflicting land uses taking place where the residences do not have the protection of the zoning ordinance.

Councilmember Himmelblau moved that the Council close the public hearing, and direct the administration to institute annexation proceedings to annex 108.71 acres of land (53.63 requested by owners and known as McNeil Road Commercial Section 1 and 2, and 55.08 acres initiated by the City). (C7a-79-022) The motion, seconded by Mayor Pro Tem Mullen, carried by the following vote:

Ayes: Councilmember Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell, Mayor McClellan

Noes: None

Absent: Councilmember Cooke

Abstain: Councilmembers Goodman, Trevino

d.

Mr. Lillie reviewed the area known as Great Hills IX, X, VIII-A and Great Hills Street Dedication "C" and 95.04 acres initiated by the City. The subdivision is residential and the land requested by the City is basically ravined bordered on two sides by land requested by the owner. Costs will be offset by revenue. There are several utility lines needed for the subdivision, a 36"/16" and 12" oversize line in the ground and already accepted by the City. The contract will be on the Council agenda for approval. There is a 12" oversize water line that is already in the ground and accepted by the City Council. The \$54,000 figure for this has already been accepted and paid by the City Council. Councilmember Himmelblau asked "Why was the scheduling in fiscal year 1979-80, I thought there was a five-year pay out." Mr. Lillie said for wastewater participation there is a five year pay out but did not think there is for water. Councilmember Himmelblau said, "Maybe next week when we are looking at the water and sewer policies we ought to bring them in together so we are looking at a five-year pay out instead of front ending it."

DAVID ARMBRUST, representing Gibraltar Savings owner and developer of Great Hills Subdivision, said he was in the Council Chamber to answer any questions.

Councilmember Himmelblau said she has concern with the amount that will be paid in 1979-80. Mr. Lillie said in water oversize the oversize is required, is in the ground, and then the contract comes to Council for approval. That contract has not been placed on the agenda yet for approval. Councilmember Himmelblau said, "We are looking at one annexation and one subdivision, but it is a domino effect and we are looking at a subdivision with the same ownership which oversizing will be serving, but the City is going to be paying for it. ..The City should only be paying for the oversizing that they cause a developer to serve someone else. ..We're picking up every last bit of the oversizing in this development." Mr. Lillie said this should be discussed in the work session.

Councilmember Himmelblau moved that the Council close the public hearing, and direct the administration to institute annexation proceedings to annex the following: 316.14 acres of land (221.10 acres requested by owner and known as Great Hills IX, X, VIII-A and Great Hills Street Dedication "C" and 95.04 acres initiated by the City.) (C7a-79-024). The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell, Mayor McClellan

Noes: None

Absent: Councilmember Cooke

Abstain: Councilmember Goodman

Not in Council Chamber when roll was called: Councilmember Trevino

COMMUNITY DEVELOPMENT AND HOUSING NEEDS

Mayor McClellan opened the public hearing scheduled for 8:00 p.m. to obtain citizen's views and proposals regarding community development and housing needs.

CARLOS HERRERA, Director of Human Services, appeared before Council and said this is the first of two public hearings which is required by federal regulations governing the Community Development Block Grant Program. The purpose of the hearing is to publicly obtain the views and proposals of citizens and interested groups on community development and housing needs and priorities for FY 1980-81. He then introduced members of his staff and discussed procedures which will be followed.

DR. DELCO appeared before Council to state that a family life learning center is needed. He said there are many one parent families in Austin where the family income is \$5,000 a year or less.

Mrs. Barbara Parkhurst, City Clerk's Office, read the following letter which MR. RAY DELL GALLOWAY, President, 11th, 12th, Rosewood and Adjacent Areas Merchants' Association had asked to be read into the Minutes. Mr. Galloway was unable to attend the Council Meeting.

"Dear Mayor McClellan and Members of the City Council:

On behalf of the 11th, 12th, Rosewood and Adjacent Areas Merchants' Association, of which I am President, I would like to express my appreciation for having been given this opportunity to come before you tonight. You have in the past demonstrated your support of our Merchants' Association, and I feel coming before you now will be of considerable benefit to us all. We would like to thank you for the support you have given us over the past year, explain where we are in the redevelopment of our East Austin neighborhood, and ask your continued support of our plans for the completion of a project which we feel will be of mutual benefit to the City, and to the Association members and other residents of the area.

Our Association, which meets every month, has been following and anxiously awaiting the completion of the physical improvements which you authorized from Community Development funds in May of last year, totaling \$598,600. Reports made monthly by Human Services Department staff indicate that the completion of these improvements is progressing at a rapid rate after first getting off to a slow start. We will soon see sidewalk and alley improvements going on in the area and hopefully, the drainage improvements will progress rapidly as well. These improvements will all contribute greatly towards upgrading the physical condition of the area so that we can then focus on the more ambitious goals of total neighborhood revitalization.

We recognize that, to accomplish such an ambitious effort, we must pitch in. This has been done, as evidenced by a merchant/city - sponsored corridor neighborhood cleanup program and by actively involving area merchants and residents in the development of plans for the area through the Merchants'

Association. As a result of our efforts, other groups are also getting excited about the prospect of turning East Austin around. Although we recognize that a greater responsibility lies before us, and we willingly accept this responsibility, we also recognize that continued City support of the 11th, 12th and Rosewood Corridor Project is a must.

We are here to thank the Council, and the many City Departments and their staffs - Human Services, Public Works, Health, Parks and Recreation and Electric - for that which has been accomplished to date. Moreover, we are here to ask the City Council for its continued support of our project in the future. We would like to propose the following priorities for continued assistance:

1. We ask that the Council proceed as quickly as possible with implementation of the Corridors Project which was funded for \$960,000 as part of last year's allocation. Our primary concern is that this assistance be made available to the 11th, 12th and Rosewood Corridor on a priority basis. We also request that area businesspersons from this association be consulted during the development of any plans that will determine the ultimate use of these funds.
2. We request that the National Business League, who we understand was awarded funds along with other organizations to provide loan packaging technical assistance, begin coordinating its efforts for implementing their project with this Association as soon as possible.
3. We recommend that any future development of plans for the redevelopment of the 11th, 12th and Rosewood Corridor be focused on those efforts necessary to encourage viable business development in an effort to attract all of Austin to the east side to shop. We know that the only way to turn the area around is to bring the people with money back to the area. We are interested in, not so much a pretty neighborhood as a viable neighborhood which is first supportive of area merchants and residents and secondly to those from outside the neighborhood.
4. As an indication of our willingness to share responsibility for the redevelopment of East Austin, we are for the first time tonight announcing our intentions to spearhead a "LET'S MAKE EAST AUSTIN BEAUTIFUL MONTH" for the month of May. This project will involve area residents, merchants, local community organizations, County and State Officials in an all-out effort to make East Austin a beautiful place to live. And, it will become the basis for the construction of the other improvements that are to follow.

We will be back to talk to you more about this effort at a later date.

We visualize so concerted an effort that throughout the month of May every East Austin resident, merchant, or organization would contribute in a special way toward achieving the goal of a clean East Austin. In turn, we would request that the City Council set a goal that every City Department would make a similar contribution in the area during the month of May. We will be talking with you more about this Association project in the months to come.

We appreciate this opportunity to speak before you tonight and thank you for not forgetting that East Austin needs your assistance now and in the future if it is to survive."

GUS GARCIA, member of the board of the Austin Minority Economic Development Corporation appeared before Council and reminded them he had talked to them last week about a proposal which had been submitted by his organization. They provide assistance to prospective minority businessmen and he has asked Council to give due consideration to their proposal.

OBIE CONNALLY, member of the Blackshear Neighborhood Association, requested that money be spent for housing rehabilitation.

ERNEST VELADEZ, representing LULAC, said they are prepared to work hand in hand with the City in a complimentary plan to both the minorities and the City.

JOHN MOORE, Chairperson, East Neighborhood Council, stated that special attention should be given to rehabilitating houses in the poverty areas, plus money used to acquire property which can be turned into residential areas rather than commercial. He also said there should be environmental improvements such as paved streets.

CHUCK WADDELL, Director, Austin Tenants' Council, thought that low income property landlords should get some of the money to fix up their rental units. He also recommended that a tool rental program should be established for people's use. Councilmember Trevino reminded him that Council has already asked the Austin Redevelopment Authority to look into the possibility of landlords receiving funds to fix low rent housing, with the stipulation that property owners cannot raise the rent after the housing has been improved.

MS. ESTELLA BENITEZ appeared before Council to speak against the French Legation Park. She said her home would be taken away from her to improve the park, and she felt the money should be used to rehabilitate homes rather than build a park which the residents of East Austin do not want.

MR. NARCISO GIL appeared to oppose the French Legation Park. He said the neighborhood surrounding the proposed park has elderly residents who do not want a park. If they are forced to move, they will have to pay a higher cost for housing which they cannot afford. Mr. Gil felt the negative far outweighs the positive.

REV. JERRY BURNET from our Lady of Guadalupe Parish, told Council the people should be consulted and listened to about the proposed park. He is against residentially zoned lots being used for other purposes and homes should be built instead of a park.

MR. KEVIN BATT, representing River City Tenants' Association, spoke against the park and thought it wrong to make people move away in order to build a park.

MR. PAUL HERNANDEZ, East Austin Neighborhood Association, stated they had taken a stand against the park a year ago. They want the neighborhood preserved for them and want development they can control.

A speaker, who remained unidentified, protested his land being taken for park purposes.

MARLENE ZAPATE asked for a guarantee that none of her people, who have lived in the area all of their lives, be moved.

Mayor McClellan reminded the speakers and audience that this is the first of two public hearings.

Councilmember Snell asked Rev. Jerry Burnet, why, when he enumerated the churches which support redevelopment in the area instead of a park, Holy Cross Church was left out. Rev. Burnet said it was because the Reverend of Holy Cross Church was out of town and he did not want to commit him to something without his personal approval. REP. WILHELMINA DELCO, who is a member of Holy Cross Catholic Church, said, "We go on record as supporting our Catholic brothers and sisters."

RECESS

Council recessed its meeting at 11:15 p.m. and resumed its recessed meeting at 11:20 p.m.

WARNING SYSTEM FOR CITY OF AUSTIN

MS. GLORIA J. PALMER appeared before Council to discuss a warning system for the City of Austin. She said our warning system had been phased out in the mid-70's and felt it should be reactivated. Austin would be a major target in the event of an attack and pointed out that other cities have a warning system.

Mayor McClellan stated she felt it would be appropriate to ask the City Manager to provide an updated report on what the best way would be to reactivate the system, and then let Mrs. Palmer know his findings.

Councilmember Himmelblau said that she feels there is a need for reactivation of the warning system and CAPCO has information available.

EMPLOYEE RECLASSIFICATION

MR. PETER J. FEARS, Business Representative, American Federation of State, County and Municipal Employees (AFSCME) appeared before Council to discuss recent implementation of employee reclassification. "I come to you tonight regarding a problem of policy and a problem of implementation. Both problems are centered around the implementation of the "0" pay grade at the entry level which you acted on last September 26, 1979. 364 of the City's lowest paid employees have been reclassified or demoted into a lower pay scale than the current lowest pay scale, pay grade 1. This newly created low pay grade, "0" is to apply to these person in eight job classifications. The pay grade in both clerical and the technical craft at the pay grade "0" goes from \$3.20 an hour to

\$3.90 an hour. The situation for reclassified employees is that anyone making above the maximum scale of \$3.90 an hour has been put into a special category and frozen so they are no longer eligible for pay increases. The irony of the situation is that the administrative clerical classification provides any employee who has come off of probation is already above \$3.90 and is frozen out of all merit increases. The Union feels this is bad business, bad affirmative action and bad employee relations..we've changed the rules in the middle of the game. ..The opportunity for merit increases are denied to those who deserve them. At the same time the City's lowest employees are put one step down on the promotion ladder. This is the case where someone in Level 1 striving for promotion a couple of weeks ago to become a Clerk B rather than a Clerk A, is now two steps away from the Clerk B position. Before implementation they were one step away. ..The Union contends the adding of a lower rung to the ladder is bad business because of changing the rules in the middle of the game. ..This is also bad affirmative action because the minority group comprised 72% of this category. ..I ask for a clear statement of intent by Council as to what the Council intended at their September meeting. It is my contention Council will never take away the proper interest of employees, which includes not only monetary wage, but promotional opportunities." He spoke of a legal problem and said he would share it with the Legal Department. "The second problem is one of training. This pay scale is supposed to be for untrained persons, yet med techs have to go through a 6 week intensive training course at Brackenridge Hospital. Finally, will the City save the \$182,000 with this pay category? That figure was based on an October 1 implementation date and we are now talking about a partial implementation on February 10 with further implementation further on down the road. The Union is asking that the Council clarify its intent and speaking to the issue of whether they meant in the implementation of the entry pay scale to penalize present current city employees."

Mayor Pro Tem Mullen clarified the motion made last September as follows:

Mayor Pro Tem Mullen moved that the Council clarify the recent implementation of employee reclassification to pertain to people hired by the City of Austin since October 1, 1979. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan,
Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen
Noes: None
Absent: Councilmember Cooke

Mr. Davidson, City Manager, said staff would have a report ready in two weeks on this situation. The Mayor expressed her appreciation to the employees who were present in the Council Chamber for being there to express their views.

BANNER APPROVED

Councilmember Trevino moved that the Council approve the request of Mr. James Jay Beckman, UT Round-Up Chairman, Kappa Alpha Fraternity, to place a banner at 32nd and Guadalupe Streets from February 28, 1980 to March 20, 1980. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
Noes: None
Absent: Councilmember Cooke

DISCUSSION ON FRENCH LEGATION PARK

MR. NARCISCO GIL reappeared and said the people from the Guadalupe area still want a firm commitment from Council that their homes will not be taken away for the French Legation Park. The Mayor told him there would be another public hearing and nothing has been approved yet. Councilmember Trevino said he has talked to the neighborhood and told them the plans for the park have been postponed until a lot of issues are discussed. He said the City does not have the authority to build homes with the Federal money provided for a park. He said he told the neighborhood he wants ample time to look into all aspects before coming back to Council with a proposal. Mr. Gil said he would leave the matter in the Mayor's hands and asked Council to consider them in their decision.

HEARING REQUESTED

MR. GARY JOHNSON appeared before Council to discuss the Board of Adjustment. He said he has a complaint against John King and wants a public hearing. The Mayor said she is not too excited about putting a member of a board up for a public hearing. Mr. Albert De La Rosa explained the situation further and Mr. Johnson said he does not want a public hearing if it is not necessary. Mr. De La Rosa said it would be the Council's decision.

ELEEMOSYNARY INSTITUTIONS

Councilmember Himmelblau introduced an item to Council concerning a request that the Planning Commission consider amending the Zoning Ordinance to prohibit Eleemosynary Institutions in "A" Residential Zoned areas. She said on January 25, 1980, "the state health plan was adopted by the statewide Health Coordinating Council and I am extremely concerned about the impact the MH/MR part of the plan will have on Austin. It calls for 50% of the populations of the state schools and state hospitals to be moved into the community setting. This means to me we will be faced with requests for numerous half-way houses in the Austin area. My concerns are for the older residential neighborhoods and what this possible proliferation of eleemosynary institutions could have on residential neighborhoods. I would like to ask that the Planning Commission bring back to the Council an ordinance dealing with eleemosynary institutions and what type of zoning should be requested for them. .. I've asked the staff for an inventory of the half-way houses we now have and I think the Planning Commission needs to look at that and the densities of some of the half-way houses and then come back to us with suggestions for an ordinance. They will have their hearings and we will have our hearings. I'm not trying to lock anything in tonight."

Councilmember Himmelblau moved that the Council refer consideration of amending the Zoning Ordinance to prohibit eleemosynary institutions in "A" residential zoned areas to the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Goodman, Himmelblau,
Mayor Pro Tem Mullen, Councilmembers Snell, Trevino
Noes: None
Absent: Councilmember Cooke

OPERATING BUDGET AND C.I.P. FORMAT

Mr. Davidson, City Manager, said they are ready to introduce a new format for the operating budget and C.I.P. (Capital Improvements Program) and ask Council to set a work session to go over the format in detail. Mayor McClellan said she would check calendars and suggest a date.

PROPOSED ALLOCATION OF LOVACA SETTLEMENT

Mr. Monty Nitcholas presented the following City Manager Report on the Proposed Allocation of LoVaca Settlement:

"The attached report describes the LoVaca Settlement Trust, Austin's estimated share of the Trust, and its overall effect on Austin's electric utility ratepayers. Highlights of the Trust are as follows:

1. The Trust was officially valued at \$177,876,660 at December 31, 1979.
2. Austin's interest (not finally determined as yet) was approximately 6% or \$10.6 million.
3. At February 13, 1980, the securities included in the Trust had increased in value to a point where Austin's interest is estimated to be almost \$13 million on that date.
4. The assets of the Trust are to be distributed to the settling customers over a seven-year period ending December 31, 1986.

Assuming the market value of the Trust securities on February 13, 1980, remains constant throughout the life of the Trust and that the trustee sells the investments under the most conservative options of the Trust agreement, Austin could receive proceeds as shown below. This, of course, is highly susceptible to fluctuation based on market values and the trustees' decisions.

In Calendar year		In Calendar year	
1980	\$ -0-	1984	\$2,349,000
1981	1,115,000	1985	2,290,000
1982	586,000	1986	2,173,000
1983	2,466,000	1987	1,998,000

The LoVaca settlement also released the contingent fuel cost reserve liability which allows rebate of that reserve to the ratepayers. That reserve including interest, totals some \$4.5 million.

Since both the settlement trust and the contingent liability concern past fuel costs to the utility and ultimately to the utility customer, and since the City is currently billing utility customers for past fuel costs through the recoverable fuel cost account, it appears logical to apply these settlement benefits to reduce the billings of recoverable fuel costs. In fact, if the trust assets continue to increase in value, it is likely that recoverable fuel cost billings can be totally eliminated.

The attached report was developed by a study group including Richard Balough of the Legal Department, R. L. Hancock and Jorge Carrasco of the Electric Department, Monty Nitcholas of the Finance Department and Tom Nourse of Peat, Marwick, Mitchell and Company, the City's independent auditors. The group has developed two options for handling the trust settlement, the first option being the recommended one because of its stability and simplicity throughout the life of the trust. The second option, although it could possibly provide more relief to customers in the first year, is highly subject to fluctuations of the market and the trustees' decisions.

Option 1, as shown in the report, merely applies the current value of the trust against the recoverable fuel cost balance, reducing the amount of fuel cost to be billed from some \$18.6 million to \$5.6 million (based on February 13, 1980 values.) The contingent fuel cost reserve, amounting approximately to \$4.5 million would be applied against the recoverable fuel cost balance, further reducing the billable amount to \$1.1 million. The option then extends the recoverable fuel cost billing from the present four-year schedule to a schedule equal to the seven year life of the settlement trust, thereby reducing the annual billings to customers even further. The effect on the utility customer, under this option is shown below.

Calendar Year	Current Billing Schedule of Recoverable Fuel Cost	Less Applied Liability Reserve	Settlement Trust	Billing Under Option I	Customer Benefit
1980(9 mo)	\$ 3,520,000	\$3,380,000	\$ 25,000	\$ 115,000	\$ 3,405,000
1981	5,280,000	1,120,000	4,016,000	144,000	5,136,000
1982	5,280,000	-0-	5,136,000	144,000	5,136,000
1983	4,520,000	-0-	4,376,000	144,000	4,376,000
1984	-0-	-0-	(144,000)	144,000	(144,000)
1985	-0-	-0-	(144,000)	144,000	(144,000)
1986	-0-	-0-	(144,000)	144,000	(144,000)
1987	-0-	-0-	(144,000)	144,000	(144,000)
Totals	\$18,600,000	\$4,500,000	\$12,977,000	\$1,123,000	\$17,477,000

Over the seven year and nine month period, the customer will pay \$1,123,000 in recoverable fuel cost rather than the \$18,600,000, providing a savings of \$12,977,000 from the trust and \$4,500,000 from the reserve.

Option II, as shown in the report, reflects the payment of rebates to the utility customer from the proceeds of the trust as such proceeds are received from the trustee over the seven year period. It anticipates that the contingent fuel reserves would be rebated to the customer during the twelve months period beginning April 1, 1980. The billings for recoverable fuel cost totaling \$18.6 million would continue to be made, but the time period is extended from four years to seven years to coincide with the life of the trust.

Over the entire period, there is no difference in savings to the customer between option I and option II. The difference is in which time frame the savings would occur. It would be presumptuous to attempt to set out a realistic schedule for this option. It would appear however that the first year's savings would be some greater than under option I, that savings being offset in the following years by reduced benefits.

Overall, the utility customers are receiving some \$13 million from the settlement trust and some \$4.5 million from the reserve contingency as a result of the LoVaca lawsuit settlement. It can be more, if the value of the trust continues to increase. If the proceeds from the trust ultimately do not equal \$13 million over its seven year life, then any balance left could be dealt with at the end of the seven years."

Council asked that this item be placed on the Agenda next week.

ZONING HEARING SET

The City Clerk announced the following zoning case has been set for hearing on March 13, 1980 at 9:30 A.M:

THOMAS P. FRANCIS
By John Harvey
C14-79-247

2009-2007 Bert Avenue

From Interim "A" Residence
1st Height and Area
To "B" Residence, 1st H & A
NOT Recommended

RECOMMENDED "BB" subject to a density limitation of 18 units per acre and a ten (10) foot buffer of "A" Residence next to single family houses, tied to a site plan which will show elevations and no access to Bert Avenue and Gathright Cove.

AJOURNMENT

Council adjourned its Meeting at 12:08 A.M., February 22, 1980.

February 21, 1980

APPROVED

Carole Kenton McCallister
Mayor

ATTEST:

Grace Monice

City Clerk